Attorney Docket No.: 26230

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

. . .

In re Application of:

DIETRICH, et al.

Serial No.: 10/505,13

Filed: August 19, 2004

Group Art: 1615

Examiner: SILVERMAN, E.

ORAL DOSAGE FORM CONTAINING A PDE 4 INHIBITOR AS AN For: ACTIVE INGREDIENT AND POLYVINYLPYRROLIDON AS EXCIPIENT

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. § 1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

- [] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- [] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311.

The enclosed statement is accompanied by [check one]:

- i. a certification in part (e) below as specified in 37 C.F.R. § 1.97(e), or
- ii. a check in the amount required by 37 C.F.R. § [] 1.17(p).

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- [XX] c. The enclosed statement is being filed rafter the mailing date of of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, but before payment of the issue fee.
 - [XX] Certification report(e) below; and
 - [XX] a check in the amount as required by § 1.17(p).
- The enclosed statement is being filed pursuant to 37 C.F.R. § 1.97(i), for placement in the file.
- Certification [Check one] [Certification is required only if] e. box (b) (i) or box (c) is checked.]

Docket No. 26230

Page 2

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] I hereby certify that each item of information contained in [the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

I hereby certify that no item of information in the [XX] enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

-] Appropriate certification is attached. [
- If no check is enclosed and a fee is due in connection with [] f. this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.
- Copies of the documents are attached herewith with a [X]g. completed Form PTO-1449.

And/or

Copies of the documents are not attached as allowed under] h. 1.98(d)(1)(2). The earlier application is identified as: Or Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and of the initialed Form PTO-1449 with the next return a copy communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

wishes to discuss this any questions or If the Examiner has application, kindly telephone the undersigned at the below-listed number.

Date: June \ , 2006

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Respectfully submitted, NATH & ASSOCIATES PLLC

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Serial No. 10/505,138 Atty Docket 26230

Applicant DIETRICH, et al.

Filing Date

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Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609.

Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to Applicant.

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